

## **REMARKS/ARGUMENTS**

In response to the Examiner's further Office Action of February 1, 2010 the Applicant respectfully submits the accompanying replacement terminal disclaimer for the terminal disclaimers filed on 12/09/2009 and 7/29/2009 and Amendment of the claims, and the following Remarks.

### ***Regarding Amendment***

In the Amendment:

independent claim 1 is amended to specify that the distance between the printhead and the threaded web is adjusted by adjusting adjusters on the planar rail removably supporting the printhead to move the planar rail relative to the threaded web. Support for this amendment can be found at page 39, lines 24-36 and Figs. 10 and 11 of the present application; and

dependent claims 4-10, 16, 18, 19, 30, 36-41 and 48 are unchanged.

It is respectfully submitted that the Amendment does not add any new matter to the present application.

### ***Regarding Non-Statutory Double Patenting Rejections and Response to Arguments***

It is respectfully submitted that amended independent claim 1 is patentably distinct from the cited claims of each of US Patent Nos. 6,944,970, 6,920,704 and 7,108,434 and copending Application Nos. 10/760,251, 10/760,240 and 10/760,214 either taken alone or in view of newly cited Writt, because amended claim 1 clarifies that the planar rail is moved to adjust the distance between the printhead and media web which is distinguished from Writt since the printhead carriage 12 is moved by selecting one of the paths 24,26 on the crossbar 22 to select the print gap not the crossbar itself (see col. 3, lines 27-60).

### ***Regarding Application No. 10/760,266***

With respect to the Examiner's provisional non-statutory double patenting rejection of claim 1 over claims 1 and 49 of copending Application No. 10/760,266 in view of Edrinn, the Applicant submits herewith a replacement terminal disclaimer in compliance with 37 C.F.R. 1.321(c); the present application and Application No. 10/760,266 being commonly owned by the Applicant.

The Applicant apologises that the terminal disclaimers filed on 12/09/2009 and 7/29/2009 incorrectly identified copending Application No. 10/760,266 instead of copending Application No. 10/760,266. The Applicant requests that, in accordance with MPEP §1490V.C., the Examiner make it clear in any subsequent Office action that "the third terminal disclaimer replaces the first and second terminal disclaimers, and the first and second terminal disclaimers are thus void.", where the "third terminal disclaimer" is the replacement terminal disclaimer accompanying the present Reply and the "first and second terminal disclaimers" are the terminal disclaimers filed on 7/29/2009 and 12/09/2009, respectively.

### ***Regarding 35 USC 103(a) Rejections and Response to Arguments***

It is respectfully submitted that the subject matter of amended independent claim 1, and claims 4-10, 16, 18, 19, 30, 36-41 and 48 dependent therefrom, is not taught or suggested by any one or more of previously cited Martin, Edrinn, Nozawa, Stoffel, Goldstein and in view of newly cited Writt, because unlike the claimed invention in which

the planar rail is moved to adjust the distance between the printhead and media web, Writt specifically discloses that the printhead carriage 12 is moved by selecting one of the paths 24,26 on the crossbar 22 to select the print gap not the crossbar itself (see col. 3, lines 27-60), and none of the other cited references make up for this deficiency in Writt.

It is respectfully submitted that all of the Examiner's rejections have been traversed. Accordingly, it is submitted that the present application is in condition for allowance and reconsideration of the present application is respectfully requested.

Very respectfully,



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